

BTXN 099 (rev. 3/10)

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF TEXAS

CLERK US DISTRICT COURT
NORTHERN DIST. OF TX
FILED

2011 SEP 19 AM 9:26

In Re:
Robert Dean Schooler and Tina Marie Schooler

Debtor(s)

Liberty Mutual Insurance Company

Appellant(s)

vs.

United States of America by Lamesa National Bank
Appellee(s)

Case No.: 01-51003-117
Chapter No.: 7

Adversary No.: 09-05011-rlj

Civil Action No.:

DEPUTY CLERK

5-11CV0175-C

TRANSMITTAL AND CERTIFICATION OF RECORD ON APPEAL

Pursuant to Federal Rules of Bankruptcy Procedure 8007, the appeal filed on July 14, 2011 regarding Docket No. 90 Judgment by Liberty Mutual Insurance Company in the above styled bankruptcy case is hereby transmitted to the U.S. District Court for the Northern District of Texas.

This record on appeal contains all items listed on the attached index, and is in compliance with Rule 8007 of the Federal Rules of Bankruptcy Procedure.

All further pleadings or inquiries regarding this matter should be directed to the U.S. District Clerk's Office until such time as the appeal is fully processed in the U.S. District Court.

The above referenced record was delivered to the U.S. District Clerk's Office on September 19, 2011.

DATED: 9/19/11

FOR THE COURT:
Tawana C. Marshall, Clerk of Court

by: /s/K. Daniel, Deputy Clerk

I hereby certify that the foregoing is a
true copy of the original thereof now in
my office this the 19th day of September
2011 at Lubbock, Texas
Tawana C. Marshall, Clerk
United States Bankruptcy Court
Northern District of Texas

By Kay Daniel Deputy

BTXN 116 (rev. 07/08)


UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF TEXAS

APPEAL SERVICE LIST

Transmission of the Record

BK Case No.: 01-51003-rjl7

Adversary No.: 09-05011-rjl

Received in District Court by: 

Date: 9-19-11

Volume Number(s): 2 vols of mini record / 7 vols of ROA

cc: Robert L. Jones
Casey Doherty
Cathy Sosebee & Associates
Attorney(s) for Appellant
US Trustee

Appellant/Cross-Appellee Liberty Mutual Insurance Company

Don C. Dennis
Boerner, Dennis & Franklin, PLLC
P. O. Box 1738
Lubbock, TX 79408
(806) 763-0044

Cross-Appellant/Appellee United States of America by Lamesa National Bank

James L. Gorsuch
4412 74th Street, Suite B-102
Lubbock, TX 79424
(806) 771-6474

William Riley Nix, Jr.
717 North Crockett Street
Sherman, TX 75090-4979

BTXN 150 (rev. 11/10)

In Re:

Robert Dean Schooler and Tina Marie Schooler

United States of America by Lamesa National Bank

vs.

Liberty Mutual Insurance Company

Debtor(s)

Plaintiff(s)

Defendant(s)

Case No.: 01-51003-rlj7

Chapter No.: 7

Adversary No.: 09-05011-rlj

5-11CV0175-C

CIVIL CASE COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet.

I. (a) APPELLANT

Liberty Mutual Insurance Company

(b) County of Residence of First Listed Party:
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorney's (Firm Name, Address, and Telephone Number)
Don C. Dennis
Boerner, Dennis & Franklin, PLLC
P. O. Box 1738
Lubbock, TX 79408
(806) 763-0044

APPELLEE

United States of America by Lamesa National Bank

County of Residence of First Listed Party:
(IN U.S. PLAINTIFF CASES ONLY)

Attorney's (If Known)
James L. Gorsuch
4412 74th St., Suite B-102
Lubbock, TX 79424
(806) 771-6474

William Riley Nix, Jr.
717 North Crockett Street
Sherman, TX 75090-4979

II. BASIS OF JURISDICTION

- ☒ 1 U.S. Government Plaintiff ☐ 2 U.S. Government Defendant ☒ 3 Federal Question (U.S. Government Not a Party) ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES

- | | | | | | |
|---|-------------------------|-------------------------|--|-------------------------|-------------------------|
| Citizen of This State | <input type="radio"/> 1 | <input type="radio"/> 1 | Incorporated <i>or</i> Principal Place of Business In This State | <input type="radio"/> 4 | <input type="radio"/> 4 |
| Citizen of Another State | <input type="radio"/> 2 | <input type="radio"/> 2 | Incorporated <i>and</i> Principal Place of Business In Another State | <input type="radio"/> 5 | <input type="radio"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="radio"/> 3 | <input type="radio"/> 3 | Foreign Nation | <input type="radio"/> 6 | <input type="radio"/> 6 |

IV. NATURE OF SUIT

- ☒ 422 Appeal 28 USC 158 ☐ 423 Withdrawal 28 USC 157 ☐ 890 Other Statutory Actions

V. ORIGIN

- ☒ 1 Original Proceeding ☐ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened
☐ 5 Transferred from another district ☐ 6 Multidistrict Litigation ☐ 7 Appeal to District Judge from Magistrate Judgment

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (**Do not cite jurisdictional statutes unless diversity**):
28 USC 158

Brief description of cause:
Notice of appeal of bankruptcy court order

VII. REQUESTED IN COMPLAINT:

- ☐ CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23 DEMAND \$ CHECK YES only if demanded in complaint:
JURY DEMAND: ☐ Yes ☐ No

VIII. RELATED CASE(S) IF ANY

Judge:

Docket Number:

DATED: 9/19/11

FOR THE COURT:
Tawana C. Marshall, Clerk of Court